

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION

JENNINE LABUZAN-DELANE

PLAINTIFF

v.

CIVIL ACTION NO: 4:22-CV-149-SA-DAS

COCHRAN & COCHRAN LAND CO., INC.,
COCHRAN FARMS, INC., LAKELAND
FARMS, LLC, GREENLEE FAMILY, LLC,
JENNINGS FARMS, INC and
DAVID T. COCHRAN

DEFENDANTS

ORDER

Jennine Labuzan-Delane, who is proceeding *pro se*, initiated this lawsuit by filing her Complaint [1] on September 23, 2022. On July 24, 2023, this Court entered an Order and Memorandum Opinion [93] denying Labuzan-Delane's Motions to Dismiss [55, 63, 70] and granting the Defendants' Motions for Summary Judgment [58, 68]. The Court's Order [93] did not close the case because the Defendants' counterclaims remain pending.

On August 2, 2023, Labuzan-Delane filed a Notice of Appeal [94], appealing the Court's Order [93] to the Fifth Circuit. On August 23, 2023, Labuzan-Delane filed a Motion to Stay [95]. In her supporting Memorandum [96], Labuzan-Delane requests "[t]hat the Court issue[] an Order pursuant to Federal Rules of Appellate Procedure Rule 8(a)(1)(A) staying the Court's Judgment or Order regarding the Defendants Counter Claims pending appeal." [96] at p. 3.

On September 20, 2023, the Fifth Circuit entered an Order [100] dismissing the appeal for lack of jurisdiction. Therefore, Labuzan-Delane's request for relief, which was based only on the fact that an appeal was pending, is moot. The Motion to Stay [95] is DENIED.

SO ORDERED, this the 10th day of January, 2024.

/s/ Sharion Aycock

UNITED STATES DISTRICT JUDGE